

Appl. No. 10/689,342
Atty. Docket No. CM2536CQ
Amdt. dated January 30, 2006
Reply to Office Action of December 28, 2005
Customer No. 27752

REMARKS

Claim Status

Claims 1-15 are pending in the present application.

Applicants have added claim 15 to claim additional subject matter

This amendment is supported by the specification, claims and drawings as filed
(See *inter alia*, page 16, lines 5-6)

Rejection Under 35 USC §102(b)

Claims 1, 2, 4-9 and 12 have been rejected under 35 U.S.C. §102(b) as being anticipated by JP 56-140153.

Applicants traverse the rejection in view of the following remarks.

It is well-settled that in order to anticipate a claim, the reference must teach each and every element of the claim. MPEP §2131. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP §2131 citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicants remind the Office that Claim 1 includes the features of:

- a corrugated web with parallel corrugation lines
- first primary bonding pattern lines parallel to each other
- second primary bonding pattern lines parallel to each other,
- the first primary bonding pattern lines and the second primary bonding pattern lines are not parallel to each other nor to the corrugation lines
- the first and second primary bonding pattern lines intersect at least two of the corrugation lines for stabilizing the corrugations of the corrugated web.

The office action alleges that "JP 56-140153 discloses a corrugated fiber sheet containing a line pattern of thermo compression bonding and/or welding dots 1. The dots connect at least two corrugations. The dots can be considered as two sets of parallel lines that criss-cross."

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Applicants respectfully disagree with the Office's interpretation of the scope and content of the '153 reference.

As best understood by Applicants, the '153 reference discloses that "[h]ere, spot bonding refers to the scheme in which a prescribed pattern is pressed on the web, and the fibers are bonded to each other throughout the web from the outer surface to the inner surface by adhesion or welding while the fibers in the remaining portion outside the pattern are not bonded to each other." (See page 3, lines 1-4)

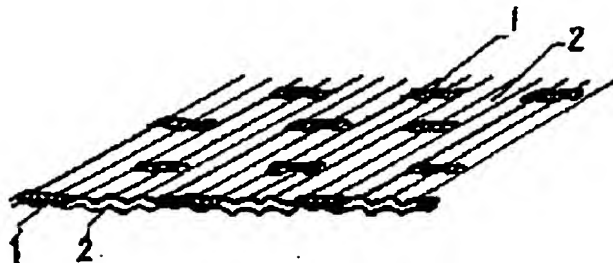
The '153 reference also discloses that "[t]he nonwoven fabric of the present invention is reinforced by means of spot bonding portions of fibers formed throughout the web from the outer surface of the web to the inner surface of the web in arbitrary pattern over the entire surface of the web."

In addition, the '153 reference discloses that "[i]n Figure 2, the spot bonding portions are short linear shapes arranged in zigzag configuration." (Emphasis added, see page 5, lines 12-13)

Applicants submit that contrary to the Office's assertion, Figure 2 does not show "dots" but "linear shapes" and that consequently, each bonding portion should be considered as individually forming a line.

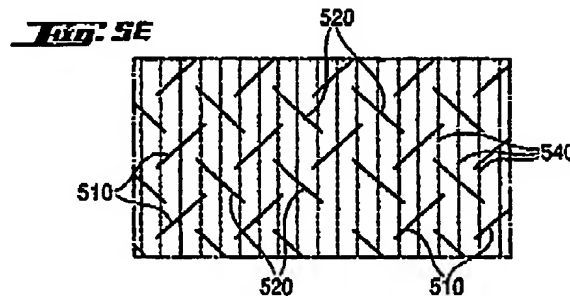
This interpretation seems to be supported by the '153 reference, which discloses that "Figure 7 is an oblique view illustrating an example of the nonwoven fabric of the present invention. (1) represents the spot bonding portions, and (2) represents the non-pressed/bonded portions. The front portion shows the cross section. Regular wavy recesses/projections are molded." (Emphasis added, see page 7, lines 14-18)

For the sake of clarity, Figure 7 of the '153 reference is depicted below.



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For comparison, a view of Figure 5E illustrating an embodiment of Applicants' claimed invention is depicted below.



As can be seen in Fig. 5E, a corrugated web includes first primary bonding pattern lines 510, second primary bonding pattern lines 520 and corrugating lines 540 (See page 15, lines 12-34)

Consequently, it is Applicants' position that the '153 reference does not teach or even remotely suggest first primary bonding pattern lines parallel to each other and second primary bonding pattern lines parallel to each other and such that the first primary bonding pattern lines are not parallel to second primary bonding pattern lines are not parallel to each other.

Claims 1, 8, 12 and 13 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. 6,586,076.

Applicants traverse the rejection in view of the following remarks.

Similarly to the previous rejection, the Office seems to be arguing that the '076 reference discloses bonded regions or "dots" 2C that can be joined to form a line as presently claimed.

Applicants respectfully disagree with the Office's interpretation of the scope and content of the '076 reference.

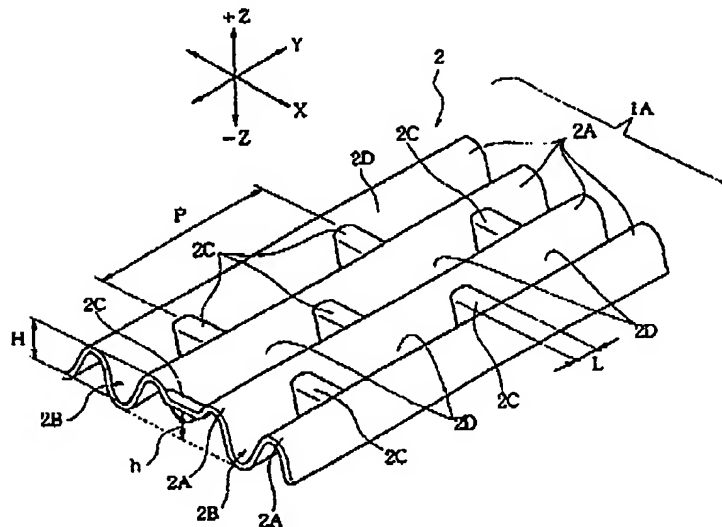
The '076 reference discloses that "[t]he connecting part 2C extends in a transverse direction (X direction) to connect side slopes of two peaks 2A and 2A, which are located at the sides of the valley 2B. Each valley has a plurality of connecting

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parts 2C. In each valley 2B, these connecting parts 2C are arranged at regular intervals P in the longitudinal direction to thereby form a long groove 2D between two connecting parts 2C. The length in the transverse direction of the top of the connecting part 2C is preferably in the range of 1 mm to 100 mm, more preferably within a range of 2 mm to 6 mm.” (Emphasis added, see Col 5, lines 35-45).

For the sake of clarity, Figure 4 of the ‘076 reference is depicted below.

Fig. 4



Applicants submit that contrary to the Office’s assertion, the ‘076 reference does not disclose “dots” that can be connected to form a line but individual lines. Consequently, each of these should be considered individually as opposed to jointly forming a line.

With this interpretation of the scope of the ‘076 reference in mind, it is clear that the ‘076 reference does not teach or even remotely suggest first primary bonding pattern lines parallel to each other and second primary bonding pattern lines parallel to each other and such that the first primary bonding pattern lines are not parallel to second primary bonding pattern lines are not parallel to each other.

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Rejection Under 35 USC §103(a)

Claims 10, 11, 13 and 14 have been rejected under 35 USC §103(a) as being unpatentable over JP 56-140153 in view of Easley et al.

Claims 9-10 have been rejected under 35 USC §103(a) as being unpatentable over Mizutani et al. '076.

At the outset, Applicants submit that claims 9-11 and 13-14 depend on claim 1.

Applicants have previously demonstrated that the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by the '153 reference and since the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by the '076 reference were both improper.

Consequently, Applicants submit that the Office has the burden to make a proper *prima facie* case of obviousness of claim 1 before it can allege that any of its depending claims are also unpatentable under 35 U.S.C. § 103(a).

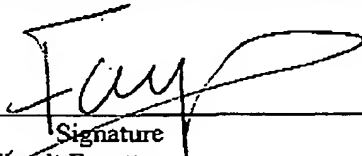
Conclusion

In view of the previous remarks, it is submitted that all the claims are in condition for allowance. Early and favorable action on all claims is therefore respectfully requested.

If the next action is other than to allow the claims, the favor of a telephonic interview is requested with the undersigned representative.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 
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Date: January 30, 2006
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